

each of the re-writable data carriers including a communication control logic to cause each of the re-writable data carriers to enter a state of waiting a predetermined random period before answering an inquiry from the reading means after communicating with the reading means; and calculating means for calculating the charge using the read data and displaying the charge.

2. (FIVE TIMES AMENDED) A charging system for automatically calculating a charge for a dish or drink selected by a customer, comprising:  
input means for inputting data to be used to calculate a charge; and  
writing means for writing the data in at least two re-writable data carriers each of which is attached to a container of a dish or drink and each of the re-writable data carriers entering a state of waiting a predetermined random period before answering an inquiry from the writing means after communicating with the writing means.

5. (FIVE TIMES AMENDED) A charging system for automatically calculating a charge for a dish and drink selected by a customer, comprising:  
reading means for reading data in a non-contact state from at least two re-writable data carriers attached to a container of one or more dishes or drinks selected by the customer, each of the re-writable data carriers entering a state of waiting a predetermined random period before answering an inquiry from the reading means after communicating with the reading means and  
calculating means for calculating the charge using the read data.

10. (FIVE TIMES AMENDED) A container used in connection with reading means for reading data for an automatic calculation of a charge of a dish or drink selected by a customer,

comprising:

means for holding the dish or drink; and

at least two re-writable data carrier means for selectively recording data to be used to calculate the charge, each of the re-writable data carrier means being attached to a container of the dish or the drink and entering a state of waiting a predetermined random period before answering an inquiry from the reading means after communicating with the reading means.

11. (FIVE TIMES AMENDED) A calorie calculating system for automatically calculating calories of a dish or drink selected by a customer, comprising:

reading means for reading data in a non-contact state from at least two re-writable data carriers, each of the re-writable data carriers being attached to a container of one or more dishes or drinks selected by the customer, each of the re-writable data carriers entering a state of waiting a predetermined random period before answering an inquiry from the reading means after communicating with the reading means; and

calculating means for calculating calories of the one or more dishes or drinks using read data and displaying the calories.

12. (FIVE TIMES AMENDED) A charging system for automatically calculating a charge for goods selected by a customer, comprising:

reading means for reading data in a non-contact state from at least two re-writable data carriers, each of the re-writable data carriers being attached to a container of one or more items of goods selected by the customer, each of the re-writable data carriers entering a state of waiting a predetermined random period before answering an inquiry from the reading means after communicating with the reading means; and

calculating means for calculating the charge for the one or more items of goods using read data and displaying the charge.

14. (FOUR TIMES AMENDED) A computer-readable recording medium encoded with a program for controlling a computer, the program comprising:

inputting data to be used to calculate a charge for a dish or drink selected by a customer; and

writing the data in at least two re-writable data carriers, each of the re-writable data carriers being attached to a container of the dish or drink, each of the re-writable data carriers entering a state of waiting a predetermined random period before answering an inquiry from a reading means after communicating with the reading means.

15. (FIVE TIMES AMENDED) A computer-readable recording medium encoded with a program for controlling a computer, the program comprising:

reading data in a non-contact state from at least two re-writable data carriers, each of the re-writable data carriers being attached to a container of one or more dishes or drinks selected by a customer, each of the re-writable data carriers entering a period of waiting a predetermined random period before answering an inquiry from a reading means after communicating with the reading means;

calculating a charge for the one or more dishes or drinks using the read data; and displaying the charge.

16. (FIVE TIMES AMENDED) A charging method for automatically calculating a charge for a dish or drink selected by a customer, comprising:

writing data in at least two re-writable data carriers, each of the re-writable data carriers

being attached to a container of a dish or drink;

reading data in a non-contact state from the data carriers of one or more dishes or drinks selected by the customer, each of the re-writable data carriers entering a state of waiting a predetermined random period before answering an inquiry from a reading means after communicating with a reading means;

calculating said charge using read data; and

displaying said charge.

17. (THREE TIMES AMENDED) A charging system for automatically calculating a charge for a dish or drink selected by a customer, comprising:

a writing unit writing data in at least two re-writable data carriers, each of the re-writable data carriers being formed as part of a container of a dish or drink;

a reading unit reading data in a non-contact state from the re-writable data carriers, each of the re-writable data carriers entering a state of waiting a predetermined random period before answering an inquiry from the reading unit after communicating with the reading unit; and

a calculating unit calculating the charge using the read data and displaying the charge.

20. (THREE TIMES AMENDED) A container used in connection with reading means for reading data for automatic calculation of a charge of a dish or drink selected by a customer, comprising:

tableware to hold the dish or drink; and

at least two re-writable data carriers to record data to be used to calculate the charge, each of the re-writable data carriers being attached to a container of the dish or drink, and each of the re-writable data carriers entering a state of waiting a predetermined random period

before answering an inquiry from the reading means after communicating with the reading means

24. (FOUR TIMES AMENDED) The container used in an automatic calculation of a charge of a dish or drink comprising:

an antenna;

a memory;

communication control logic to record data in at least two re-writable data carriers to be used to calculate the charge in said memory, each of the re-writable data carriers being attached to a container of the dish or the drink, and

a voltage generator circuit to provide power to said memory and said communication control logic in response to electromotive force received from said antenna,

each of the re-writable data carriers entering a state of waiting a predetermined random period before answering an inquiry from the communication control logic after communicating with the communication control logic.

## **REMARKS**

### **INTRODUCTION:**

In accordance with the foregoing, claims 1, 2, 5, 10-12, 14-17, 20 and 24 have been amended. Claims 1-22, 24 and 25 are pending and under consideration.

### **REJECTION UNDER 35 U.S.C. §103:**

*Claims 1-3, 5-10 and 12-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 5,522,509 to Shimamura et al. in view of U.S. Patent 5,875,434 to Matsuoka et al.*